IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No. 6389 of 2000

For Approval and Signature:

HONOURABLE MR.JUSTICE AKIL KURESHI

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

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RANJANBEN KARSANBHAI PATEL - Petitioner(s)

Versus

STATE OF GUJARAT & 1 - Respondent(s)

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Appearance :

MR JV JAPEE for Petitioner(s) : 1,
GOVERNMENT PLEADER for Respondent(s) : 1,
RULE SERVED BY DS for Respondent(s) : 1,
M/S THAKKAR ASSOC. for Respondent(s) : 2,

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CORAM : HONOURABLE MR.JUSTICE AKIL KURESHI

Date : 04/02/2006

ORAL JUDGMENT

1.The petitioner has made certain complaints about certain instances of criminal assault etc. It appears that police authorities after inquiring into such

complaints did not find sufficient material to proceed further. Eventually, therefore, a circular dated 17-03-1998 came to be issued by the Home Department stating that the petitioner is in habit of making false complaints. Her false complaints should not be taken into account. It was however, added that her complaints of serious nature and which may have substance should be looked into.

2. The petitioner has challenged the above mentioned circular dated 17-03-1998 on various grounds. Primarily it is the case of the petitioner that her complaints were not frivolous. Her grievances were genuine and in-fact the police authority did not take suitable steps. It is further contended that State Government does not have authority to issue such circulars that too without hearing the petitioner.

3. I find that it is not necessary to go into the validity of the contentions of the petitioner at length. The circular itself records that genuine complaints of the petitioner will be examined. I am sure if the petitioner has genuine grievances and if the petitioner makes complaints in this regard to the police

authorities, they will look into the same and take such measures as may be found appropriate. Even otherwise they are bound to examine the complaints made by a citisen. If the petitioner has any grievance despite the above clarification that her complaints are not being addressed to by the authorities with due seriousness that the complainant deserves, it is always open for the petitioner to move the appropriate forum under the law.

4. Subject to above observations, the petition is disposed of. Rule is discharged with no order as to costs.

(Akil Kureshi,J.)

(raghu)